

A RESOLUTION

02- 0798

BY THE PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO SETTLE CIVIL ACTION NUMBER 2001CV43051 JANICE BROWN AND RICKY L. BARBER v. CITY OF ATLANTA, et. al, A CASE INVOLVING A MOTOR VEHICLE ACCIDENT, IN THE AMOUNT OF \$8,000.00 ON BEHALF OF PLAINTIFF JANICE BROWN AND IN THE AMOUNT OF \$5,000.00 ON BEHALF OF PLAINTIFF RICKY L. BARBER.

WHEREAS, Janice Brown and Ricky L. Barber filed a lawsuit against the City of Atlanta on September 21, 2001, seeking \$25,000.00 and \$18,000.00 in damages, respectively, alleging negligence arising out of an automobile accident involving an improperly covered street excavation in the vicinity of 934 Custer Avenue, S.E.; and

WHEREAS, the City Attorney's office has thoroughly investigated the facts and circumstances involved in this matter and has determined that it is desirable and in the best interests of the City to settle this lawsuit for \$8,000.00 on behalf of Plaintiff Janice Brown and for \$5,000.00 on behalf of Plaintiff Ricky L. Barber, and the Plaintiffs' attorney has agreed to accept such a settlement;

BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, that \$8,000.00 be paid by the City of Atlanta to the Plaintiff, Janice Brown, and that \$5,000.00 be paid by the City of Atlanta to the Plaintiff Ricky L. Barber, for the purpose of fully resolving all claims in the Lawsuit styled: Janice Brown and Ricky L. Barber v. City of Atlanta, et al., Superior Court of Fulton County, Georgia, Civil Action No.: 2001CV43051, provided that Plaintiffs dismiss the lawsuit with prejudice and execute a release satisfactory to the City Attorney; and

BE IT FURTHER RESOLVED that the City of Atlanta Department of Finance is authorized to issue a check for \$13,000.00 payable to the Plaintiffs Janice Brown and Ricky L. Barber and their attorney, and issued from account number 2J01/529017/T31001.